

STATE OF WASHINGTON
OFFICE OF THE INSURANCE COMMISSIONER

In the Matter of

AT YOUR PACE ONLINE,

Licensee.

Order No. 14-0220
OIC Edu. Provider No. 300354

CONSENT ORDER LEVYING A
FINE

This Consent Order is entered into by the Insurance Commissioner of the state of Washington, acting pursuant to the authority set forth in RCW 48.17.560, WAC 284-17-302, and WAC 284-17-306, and insurance education provider "AT YOUR PACE ONLINE."

BASIS:

1. At Your Pace Online ("Licensee") is a continuing insurance education provider assigned continuing insurance education provider number 300354 by the Insurance Commissioner.
2. In April, 2014, the Insurance Commissioner learned that Licensee was advertising on its website three courses for Washington continuing insurance education credit that had not been submitted to, or approved by, the Insurance Commissioner for credit in Washington.
3. The Insurance Commissioner discovered two Washington insurance producers who had registered for, and purchased, one or more of these courses, one of whom was unable to complete his license renewal on time and incurred a late fee because the courses were unapproved.
4. By failing to submit course material and requests for approval of the courses to the Insurance Commissioner at least twenty days prior to the dates the courses were first offered for credit, Licensee committed multiple violations of WAC 284-17-278(1).
5. By advertising courses for credit without the prior approval of the commissioner, Licensee committed multiple violations of WAC 284-17-302(1).
6. WAC 284-17-304 sets forth grounds for the revocation or suspension of a continuing education insurance provider, which include the violation of any provision of Title 48 RCW or Title 284 WAC.

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State of Washington
Office of Insurance Commissioner
Insurance 5000 Building
PO Box 40255
Olympia, WA 98504-0255

7. RCW 48.17.560 states that after a hearing or upon stipulation by the licensee or insurance education provider, and in addition to or in lieu of suspension, revocation, or refusal to renew any such license or insurance education provider approval, the Commissioner may levy upon the licensee or insurance education provider a fine of not more than \$1,000 per violation of the insurance code.

CONSENT TO ORDER:

The Insurance Commissioner and Licensee agree that the best interests of the public will be served by entering into this Consent Order. NOW, THEREFORE, Licensee consents to the following in consideration of its desire to resolve this matter without further administrative or judicial proceedings. The Insurance Commissioner consents to settle the matter in consideration of Licensee's payment of a fine, and upon such terms and conditions as are set forth below.

1. Licensee acknowledges its duty to comply fully with the applicable laws of the State of Washington.
2. Licensee consents to the entry of this Order, waives any and all hearing rights, and further administrative or judicial challenges to this Consent Order.
3. By agreement of the parties, the Insurance Commissioner will impose a fine on Licensee of one thousand nine hundred fifty dollars (\$1,950.00).
4. Licensee understands and agrees that any future failure to comply with the statutes and regulations that are the subject of this Order constitutes grounds for further penalties, which may be imposed in direct response to further violations.
5. Licensee's failure to pay this fine within thirty days of the execution of this Order shall constitute grounds for revocation of Licensee's approval to act as a continuing insurance education provider, and shall result in the recovery of the fine through a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.
6. This Consent Order and the violations set forth herein constitute admissible evidence that may be considered in any future action by the Insurance Commissioner involving Licensee. However, it is hereby agreed that the fact of this Consent Order, and any provision, finding, or conclusion contained herein does not, and is not intended to, determine any factual or legal issues or have any preclusive or collateral estoppel effects in any lawsuit brought by any party other than the Insurance Commissioner.

EXECUTED this 23 day of DECEMBER, 2014.

AT YOUR PACE ONLINE

By: 

Printed Name: MIKE MELVIN

Printed Corporate Title: OWNER

AGREED ORDER:

Pursuant to the foregoing factual basis and consent to order, the Insurance Commissioner of the State of Washington hereby orders as follows:

1. Licensee shall pay a fine in the amount of one thousand nine hundred fifty dollars (\$1,950.00).

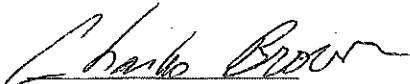
2. Licensee's failure to pay the fine within thirty days of the execution of this Order shall result in the revocation of the Licensee's approval to act as a continuing insurance education provider and in the recovery of the fine through a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

3. This Consent Order and the violations set forth herein constitute admissible evidence that may be considered in any future action by the Insurance Commissioner involving Licensee. However, it is hereby agreed that the fact of this Consent Order, and any provision, finding, or conclusion contained herein does not, and is not intended to, determine any factual or legal issues or have any preclusive or collateral estoppel effects in any lawsuit brought by any party other than the Insurance Commissioner.

ENTERED AT TUMWATER, WASHINGTON, this 30th day of December, 2014.

MIKE KREIDLER
Insurance Commissioner

By



Charles Brown
OIC Insurance Enforcement Specialist
Legal Affairs Division

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